



Appeal Decision

Site visit made on 1 September 2020 by Ben Phillips BSc MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 29 September 2020

Appeal Ref: APP/C1625/W/20/3254738

Land at Windyridge, Bisley GL6 7DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss D Baker against the decision of Stroud District Council.
 - The application Ref S.20/0114/FUL, dated 17 January 2020, was refused by notice dated 10 March 2020.
 - The development is described as proposed dwelling.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this case are the effect of the proposed dwelling on:
 - the character and appearance of the surrounding area; and
 - the living conditions of the occupiers of Nos 14 and 23 Windyridge, with particular reference to outlook.

Reasons for Recommendation

Character and Appearance

4. Windyridge is a development of two storey and single storey semi-detached and terraced dwellings located within the settlement of Bisley. The dwellings are set behind a generally consistent building line within similarly sized plots. In front of the building line are two sets of single storey detached garage buildings located either side of the entrance to the development.
5. The proposed dwelling would be located in the same position as an existing garage block and would sit proud of the existing building line. Whilst in some instances a deliberate irregular building line can be a positive design characteristic providing interest and lack of formality, in this instance, given the grain of development in the locality, the proposal would be viewed as a prominent, incongruous addition which would detract from the established character and appearance of the area.

6. Moreover, because of the small scale of the of the appeal site and size of the dwelling, it would appear cramped within its plot, with very limited space around the building. This would detract significantly from the pleasing open character of this part of Windyridge. Whilst the use of 1 of the proposed car parking spaces could increase the amount of garden to the front of the dwelling, overall, such an increase would be small and it would not mitigate the harm identified. In reaching this view I am mindful of the guidance within the Supplementary Planning Guidance Document 'Residential Design Guide' (2000) which does suggest that there should be variation in garden sizes, however, it also cautions against overdevelopment, which would be the case with the appeal proposal.
7. In light of the foregoing I conclude that the proposed dwelling would have a detrimental impact on the character and appearance of the surrounding area. The removal of the garages does not provide justification for harmful development. The development therefore conflicts with Policies HC1 and CP14 of the Stroud District Local Plan (2015) (LP), which set out that development should be high quality and compatible to and respectful of the character of the part of the settlement in which it would be located. These policies are consistent with paragraph 127 of the National Planning Policy Framework (Framework).

Effect on living conditions of occupiers of nearby properties

8. Given its siting, the proposed dwelling would present a side elevation towards the rear and side garden area of No 14 Windyridge, and towards the side garden area of No 23.
9. The proposed dwelling would, as a result of its height and scale compared to the existing single storey garage building, result in a dominant, imposing blank wall in close proximity to the rear/side garden and rear facing rooms of No 14. It would have an adverse effect upon the current pleasant outlook from these areas and would be likely to make the rear rooms less pleasant to use as a result, as well as the rear and side garden.
10. Similarly, the garden area of No 23 is located to its side. The proposed dwelling would present a side elevation significantly larger than the existing garage building towards this garden area. Given the proximity to the boundary, the side elevation of the new dwelling would again be imposing and overbearing. It would have an adverse effect upon the current pleasant outlook from the garden and side elevation windows of No 23 and would be likely to make the side rooms less pleasant to use as a result, as well as the garden. Whilst there is a tree at present providing some screening on this side boundary, this is not comparable to the permanent impact of the side elevation of the proposed dwelling.
11. In light of the foregoing, it is concluded that the proposal would have a harmful effect on the living conditions of nearby occupiers at Nos 14 and 23 Windyridge in conflict with LP Policies HC1 and CP14, which amongst other matters, seek to protect living conditions and the amenity of neighbouring occupants. Moreover, the proposal conflicts with paragraph 127 of the Framework which requires that places are created with a high standard of amenity for existing and future users.

Other Matters

12. I note the appellant's comments regarding a site visit and lack of meeting with the Council to discuss matters and negotiate, and I acknowledge that she seems willing to amend the design of the development. However, this is a matter between the Council and the appellant and not a matter for this appeal.
13. It is acknowledged that the proposal would not result in overlooking or parking issues. However, this would be expected of any well-designed development and is not in favour of the development. As such these are neutral factors in this case.
14. The appellant references the Bisley Parish Council Neighbourhood Development Plan, Gloucestershire Local Housing Needs Assessment 2019 and the Stroud District Local Plan draft plan, however these are not as yet adopted and as such I cannot give them much weight. I do however acknowledge that the proposal represents an efficient use of land and a new residential unit in a location served by numerous facilities would contribute to the Council's supply of new homes. I attach moderate weight to these matters. Against these benefits however is the substantial harm that the proposal would cause to the character and appearance of the area and the living conditions of the neighbouring occupiers, in conflict with the development plan. I find therefore that the benefits of the scheme do not individually, or cumulatively, outweigh the identified harm.

Conclusion

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR